

LOWER WILLAMETTE GROUP RESPONSES TO EPA'S JUNE 17, 2009 COMMENTS ON THE DRAFT TREATMENT BENEFICIAL USE MARKET SURVEY

This memo provides responses to U.S. Environmental Protection Agency's (EPA's) comments from June 17, 2009 regarding the Lower Willamette Group's (LWG's) *Draft Treatment Beneficial Use Market Survey* submitted to EPA on April 3, 2009. We appreciate the constructive nature of the comments in general. Below are some overall responses indicating the LWG recommended path forward.

Document Submittal Process – As you are aware, LWG has begun the Feasibility Study (FS) process and will begin to develop remedial alternatives later this year. During this process, more refined estimates of potential dredge volumes and the nature of that material will be developed. Rather than focusing LWG's efforts on reorganizing the *Draft Treatment Beneficial Use Market Survey* (as recommended in your comment letter), we recommend that the information presented in the original document and any additional findings be incorporated into the FS Report as an appendix. By incorporating the revisions into the FS, we will be able to refine our assumptions and potentially identify more focused beneficial uses that relate to specific remedial alternatives. Such an approach is consistent with the FS Schedule Milestones table, which does not include any follow up or revised memos on this topic between now and the Draft FS Report submittal to EPA.

Additional Contacts – Per several of EPA's comments we will follow up on the recommendations regarding contacting additional organizations in exploring beneficial use opportunities. These additional findings will be presented in the FS report as noted above.

Regional Sediment Management Initiatives – Several of EPA's comments address the issue of regional sediment management initiatives. Based on discussions that took place during a June 11, 2008 teleconference between LWG and EPA, it was LWG's understanding that both parties agreed that:

- It is the government's role to define and create such regional initiatives outside of the CERCLA framework.
- It is not the role of the LWG to investigate dredging projects beyond the scope of the Portland Harbor remediation or to initiate conversations with any organizations regarding a regional sediment management program.

Accordingly, the LWG did not include such activities in the scope for the Market Survey, which was approved by you on August 28, 2008 along with meeting minutes from the June 11 teleconference. If there is still disagreement on this issue, we suggest a conference call with you to discuss and resolve this issue.

Other Comments – We intend to incorporate the recommendations from other specific comments in the Draft FS, as feasible and consistent with the overall content and conclusions of the FS Report at that time.

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**This document is currently under review by US EPA and its federal, state and tribal partners, and is
subject to change in whole or in part.**